



United States Mission to the OSCE

Statement in Response to Ambassador Strohal

As delivered by Ambassador Julie Finley
to the Permanent Council, Vienna
January 26, 2006

Thank you, Mr. Chairman.

Ambassador Strohal, the United States very warmly welcomes you back to the Permanent Council and thanks you for your report. We appreciate the pressures that you and your staff must often face and wholeheartedly support the work that you do. The objective of the Office for Democratic Institutions and Human Rights (ODIHR) for the coming year, to help participating States implement and monitor their Human Dimension commitments, reflects the core values of the OSCE. You may count most assuredly on full and unwavering support from the United States and, I'm confident, from many other participating States.

You noted that eleven of the Decisions taken at the Ljubljana Ministerial contained taskings for the ODIHR. The United States is convinced of the ODIHR's ability to carry out these taskings successfully and to the benefit of participating States and their citizens.

At the same time, all of the Ljubljana decisions contained commitments for participating States - new commitments in some cases, and reiterations of existing commitments in others. It is now incumbent upon all 55 participating States, who entered into these commitments voluntarily and by consensus, to strive to ensure their implementation.

The United States appreciates the ODIHR's efforts to continuously improve its elections activities. The ODIHR's standards for election observation continue to be the benchmark that other organizations strive to emulate. The ODIHR as well as all participating States should be justifiably proud of the efforts they have made over the years to contribute to this tremendous accomplishment.

However, as Ambassador Strohal rightly pointed out, election observation is not an aim in and of itself.

The true goal is for States to hold elections that meet OSCE commitments, reflecting the will of an informed electorate – not forced, but an informed electorate. Unfortunately, as ODIHR's election observation reports have made clear, some States have consistently failed to do just that.

In several OSCE states, commitments to respect the right of citizens to seek office, to establish or join political parties and to participate in campaigns are being negated by political and administrative pressure from incumbent governments. Not only are opposition candidates denied equal access to the media, but independent sources of information are routinely repressed in the run-up to elections, violating the commitment to provide unimpeded access to information.

The Lisbon Summit Declaration of 1996 mentioned the acute problem of "electoral fraud" in the OSCE region. Ten years later, this is still a concern as numerous incidents of irregularities - or even outright fraud - in counting and tabulating votes have been credibly reported in a number of participating States. Nevertheless, in recent years several States have shown that, when the political will is present, it is possible to hold free and fair elections.

Of course, elections are only one part of the democratic process. Democracy also requires rule of law and equal enjoyment by all citizens of the whole range of human rights and fundamental freedoms. We are therefore concerned by a trend among some States in the OSCE to ignore these other crucial aspects of democracy.

We believe the Human Dimension Seminar, scheduled for May of this year, is important, as it will focus on upholding rule of law, as opposed to "rule by law," and due process in criminal justice systems.

We have seen too many cases recently in which States have held up "rule of law" as a justification for passing and enforcing laws that are neither transparent, nor in accordance with OSCE commitments on human rights.

According to the 1991 Moscow Document, "legislation will be formulated and adopted as the result of an open process reflecting the will of the people."

This means that governments must actively seek out the views of the people and that people - and the non-governmental organizations that often represent them - must have the ability to speak out frankly about the possible consequences of draft laws and policies. Democracies cannot truly flourish without the ongoing and active participation of civil society.

The open process necessary for rule of law also requires truly democratic institutions - legislatures, judiciaries, and executives - that operate in a transparent way, accountable both to other institutions and to the citizenry.

Ambassador, that is why we greatly appreciate the expertise that the ODIHR provides to participating States. The United States takes its OSCE commitments very seriously and appreciates the independent assessment the ODIHR provided on our own elections in 2004. We support your ongoing work to help strengthen democratic institutions, train government officials and legal professionals, support civil society, and ensure tolerance, non-discrimination and equal protection for all citizens.

We also appreciate the role that the ODIHR plays in fostering open dialogue between States and civil society at all Human Dimension and so related events. The fact that NGOs participate in these meetings on an equal basis with national delegations allows governments to hear and directly respond to concerns raised by their citizens.

We look forward to SHDMs this year on human rights defenders and democratic governance. These are both areas in which dialogue with civil society is vital in the development of State policies. We also look forward to the SHDM on access to information, since this is an important link between government and civil society.

Ambassador Strohal, we welcome your continued commitment to strengthening the ODIHR's ability to promote tolerance and non-discrimination, and commend that office's ongoing efforts to combat anti-Semitism and other forms of intolerance. We look forward to the expert-level meetings on tolerance this year and to a high-level conference in Bucharest in 2007.

Ambassador Strohal, the United States fully supports the priorities you have established for each of the ODIHR's thematic programs for 2006. We also stand ready to support you in further strengthening the ODIHR's already outstanding work in the human dimension.

We look forward to discussing all of the ODIHR's activities over the next few months, because we are confident that an open discussion amongst all 55 Ambassadors and you and the Chairman-in-Office will vividly demonstrate the excellent job that you are doing. It is also for this reason that the United States supports strongly extending your mandate as director of the ODIHR for the next three years. We thank you for your report and wish you and the Office for Democratic Institutions and Human Rights every success in the coming year.

Thank you, Mr. Chairman.